

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

EDDIE RAY, JR.,)	
)	Case No. 3:22-cv-02304-SPM
Plaintiff,)	CJRA Track: D
)	Mandatory Mediation: No
vs.)	Presumptive Trial Month:
)	September 2024
)	
SCA OF MO LLC,)	Judge: Stephen P. McGlynn
)	
Defendant.)	

**JOINT REPORT OF PARTIES AND
PROPOSED SCHEDULING AND DISCOVERY ORDER**

Pursuant to Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), an initial conference of the parties was held on December 12, 2022 with attorneys Philip Oliphant for Plaintiff and Janet K. Meub for Defendant participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34 shall be served on opposing parties by February 15, 2023.
2. Plaintiff's deposition shall be taken by April 23, 2023.
3. Defendant's deposition shall be taken by July 31, 2023.
4. Motions to amend the pleadings, including the commencement of a third-party action, shall be filed by March 10, 2023 (no later than **90 days** following the Scheduling and Discovery conference).
5. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff's expert(s): August 31, 2023.

Defendant's expert(s): October 30, 2023.

Third Party expert(s): October 30, 2023.

6. Depositions of expert witnesses must be taken by:

Plaintiff's expert(s): November 30, 2023.

Defendant's expert(s): December 31, 2023.

Third Party expert(s): December 31, 2023.

7. The parties **CERTIFY** that they have discussed, in particular, the proportionality of discovery, the burden and expense associated with discovery, and the discovery of electronically stored information (ESI). The parties anticipate a need for an ESI protocol. The parties shall submit to the Court any joint proposed ESI protocol no later than February 28, 2023. (The protocol shall contain mechanisms for addressing necessary topics concerning ESI to include sources of information, search terms, format of production and preservation of ESI by both Plaintiff(s) and Defendant(s)).
8. **Discovery** shall be completed by April 24, 2024 (no later than **130 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full **30 days** as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
9. All **dispositive motions** shall be filed by May 24, 2024 (no later than **100 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Dispositive motions filed after this date will not be considered by the Court.
10. The parties are reminded that, prior to filing any motions concerning discovery, they must first meet and confer relating to any discovery disputes and then contact the Court to arrange a telephone discovery dispute conference if they are unable to resolve their dispute. If the dispute cannot be resolved in the first telephonic conference, the Court will establish, with the input of the parties, the mechanism for submitting written positions to the Court on an expedited basis.

DATED: December 5, 2022

Philip E. Oliphant

Attorney(s) for Plaintiff(s)

Janet K. Meub

Sarah Mangelsdorf

Attorney(s) for Defendant(s)